

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
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HEARING SCHEDULED AND SPECIAL MASTERS APPOINTED IN
MATTER CONCERNING JUDGE JOSEPH W. O'FLAHERTY

On February 9, 2010, the Commission on Judicial Performance announced it had instituted formal proceedings to inquire into matters concerning Judge Joseph W. O'Flaherty, a judge of the Placer County Superior Court. The hearing has been scheduled to begin on Tuesday, April 27, 2010, at 9:00 a.m. in the courtroom of the Third District Court of Appeal at 621 Capitol Mall, 10th Floor, in Sacramento, California. The hearing will be open to the public.

Under the rules that govern Commission proceedings, the hearing will be conducted by special masters appointed by the Supreme Court: Hon. Stephen J. Kane, Court of Appeal, Fifth Appellate District; Hon. Larry W. Allen, Superior Court of San Bernardino County; and Hon. Allan D. Hardcastle, Superior Court of Sonoma County.

At the hearing, the parties will have an opportunity to introduce evidence and examine and cross-examine witnesses. Commission Trial Counsel Andrew Blum has been designated as examiner. Judge O'Flaherty is represented by attorney James A. Murphy, of Murphy, Pearson, Bradley and Feeney in San Francisco, California.

Following completion of the hearing, the special masters will provide the Commission with a report containing their findings with respect to the charges. The parties will have an opportunity to respond to the report through briefing and argument before the Commission. If the Commission determines that the charges are proved by clear and convincing evidence, it is empowered to impose discipline as provided in the California Constitution. Charges that the Commission determines are not proved will be dismissed.

The Commission is composed of three judges, two lawyers, and six public members. The Chairperson is the Hon. Judith D. McConnell of the Court of Appeal, Fourth Appellate District, in San Diego, California.

For further information about the Commission on Judicial Performance, see the Commission's Web site at www.cjp.ca.gov.